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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/609,109	06/27/2003	Mark E. Eidson	ITL.0239C1US (P7367C)	9247
21906	7590	08/23/2006	EXAMINER	
TROP PRUNER & HU, PC 1616 S. VOSS ROAD, SUITE 750 HOUSTON, TX 77057-2631			WANG, ALBERT C	
			ART UNIT	PAPER NUMBER
			2115	

DATE MAILED: 08/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



### DETAILED ACTION

1. This Office action is responsive to the amendment filed 8 June 2006.

#### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 21, 24 and 25 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claim 21 has the limitation having "a programmable, non-volatile memory coupled to said bus," however, the specification teaches that flash array 22 is not directly coupled to the PCI bus 54 (fig. 1). Claims 24 and 25 depend on claim 21.

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 24 and 25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 24 and 25 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are:

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As per claim 24, the claimed chipset appears to be the same device as the controller in claim 21. The relationship between the controller and the chipset is not clear. Claim 25 depends on claim 24.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 21-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Klein, U.S. Patent No. 5,987,551.

As per claim 21, Klein teaches a system comprising:

a controller to modify the address of a boot device (col. 2, lines 37-65, chipset 114 normally generates ISA address for boot device; col. 4, lines 32-59, since boot device is relocated to PCI bus, chipset 114 generates a non-ISA, or modified, address for the boot device; col. 5, lines 4-23);

a volatile memory coupled to said controller (figs. 3 & 4, memory 116);

a bus coupled to said controller, said bus configured after the boot sequence (figs. 3 & 4, PCI bus 120); and

a programmable non-volatile memory coupled to said bus, said memory storing system boot instructions (figs. 3 & 4, ROM BIOS 110).

As per claim 22, Klein teaches said system boot instructions include the basic input/output system (col. 2, lines 56-65).

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As per claim 23, Klein teaches said non-volatile memory is a FLASH memory (col. 4, lines 19-31).

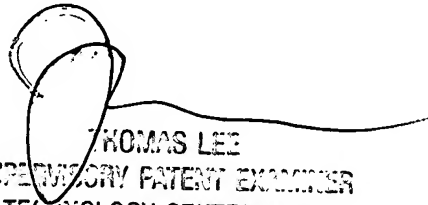
***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Albert Wang whose telephone number is 571-272-3669. The examiner can normally be reached on M-F (9:30 - 6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee can be reached on 571-272-3667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AW

  
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